

FILED

03 APR 29 AM 11:26

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
UNITED STATES OF AMERICA

CASE NO: 8:03-Cr-77-T-30TBM

v.

SAMI AL-ARIAN  
\_\_\_\_\_ /

03 APR 29 AM 11:26  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA, FLORIDA

RECEIVED

**MOTION TO TRANSPORT DEFENDANT FOR HEARING**

COMES NOW the Defendant, SAMI AL-ARIAN, by and through the undersigned counsel, and moves this Honorable Court to transport the Defendant to Hillsborough County for Hearing, and as grounds therefore would state:

1. This matter is scheduled for a Status Hearing on Thursday, May 1, 2003 at 8:30 a.m. in front of The Honorable James S. Moody, Jr.
2. The Defendant is currently confined at F.C.C. Coleman in the Special Housing Unit or S.H.U.
3. The Defendant is desirous of attending the upcoming Status Conference on May 1, 2003, as he has expressed an interest in possibly representing himself in the near future, and wants to take an active part in the preparation and defense of his case.
4. If it is the court's intention to consider the conditions of the Defendant's Pre-trial detention, the Defendant himself is the best witness to those conditions.
5. The undersigned has no objection to the Defendant's request.

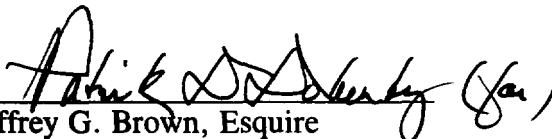
WHEREFORE, the Defendant moves this Honorable Court to issue an Order requiring the Defendant's presence at the Status Conference on May 1, 2003.

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## MEMORANDUM OF LAW

Although the Defendant does not have an absolute right to be present at every hearing or conference with the trial judge at which a matter relevant to the case is discussed, U.S. vs. Pepe, 747 Fed 2<sup>nd</sup> 632 (11<sup>th</sup> Cir 1984), the court may, within its sound discretion order the Defendant's appearance when the demands of justice require.

Dated: 4/29/03

  
Jeffrey G. Brown, Esquire

## CERTIFICATE OF SERVICE


**I HEREBY CERTIFY** that the original of the foregoing has been furnished to the Clerk of Court, Middle District of Florida, located at the Sam Gibbons U.S. Courthouse, 801 N. Florida Ave., Suite 223, Tampa, FL 33602-4500, and that a true and correct copy has been furnished to the following interested persons:

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